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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,967	11/21/2003	Balaji S. Thenthiruperai	2434	4410
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OVERLAND PARK, KS 66251-2100			ART UNIT	PAPER NUMBER
			2626	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/718,967

Applicant(s)

THENTHIRUPERAI, BALAJI S.

Examiner

Huyen X. Vo

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2 sheets</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1,3 and 5-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuroiwa et al. (US 5960063).

3. Regarding claim 1, Kuroiwa et al. disclose that in a voice command platform hosting a plurality of voice command applications, said voice command platform supporting a plurality of acoustic models, the improvement comprising: providing instructions in a voice command application, said instructions selecting a particular acoustic model from said plurality of acoustic models for the application (*figure 1 or referring to col. 2, line 26 to col. 3, line 10*).

4. Regarding claims 5-6, Kuroiwa et al. disclose that in a voice command platform hosting a plurality of voice command applications, said voice command platform supporting a plurality of acoustic models, a method of selection of an acoustic model to use with a particular voice command application, comprising the steps of: receiving

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information from a caller to said voice command as to the area code and/or local exchange number where said caller is calling from, and selecting said acoustic model based on said area code and/or local exchange number (*figure 1 or referring to col. 2, line 26 to col. 3, line 10*).

5. Regarding claim 3, Kuroiwa et al. further disclose the improvement of claim 1, wherein said particular acoustic model is selected interactively during execution of the application (*inherent in the system of Kuroiwa in order to handle multiple users*).

6. Regarding claim 7, Kuroiwa et al. further disclose the method of claim 6, further comprising the step of interactively changing the selection of the acoustic model after said acoustic model is initially selected (*inherent in the system of Kuroiwa in order to handle multiple users*).

7. Claims 8 is rejected under 35 U.S.C. 102(e) as being anticipated by Thomas et al. (US 7171361).

8. Regarding claim 8, Thomas et al. disclose a method of selecting an acoustic model for a voice command application executing on a voice command platform, comprising the steps of:

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providing said voice command with a VXML root document having a block of VXML code (*col. 5, line 1 to col. 6, line 67, VoiceXML tags indicate location of grammars, which are equivalent as speech models*); and

providing in said code a VXML metadata field with an identification of an acoustic model to use with the application (*col. 5, line 1 to col. 6, line 67, VoiceXML tags indicate location of grammars, which are equivalent as speech models*).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuroiwa et al. (US 5960063) in view of Thomas et al. (US 7171361).

11. Regarding claims 2 and 4, Forand fails to specifically disclose the improvement of claim 1, wherein the instructions comprise instructions in the form of a VXML metadata element, and wherein the instructions placed in an HTTP header. However, Thomas et al. teach that the instructions are in the form of a VXML metadata element (*col. 5, line 1 to col. 6, line 67, VoiceXML tags indicate location of grammars, which are equivalent as speech models*), and are placed in an HTTP header (*col. 6, line 55-60*).

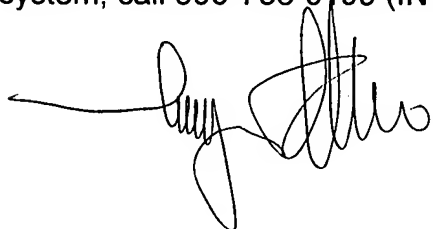
Since Forand and Thomas et al. are analogous art because they are from the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Forand by incorporating the teaching of Thomas et al. in order to improve speech recognition accuracy.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



3/30/07